

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

GHEORGHE STRETCU,

Plaintiffs,

vs.

FEDERAL BUREAU OF PRISONS, *et al.*,

Defendants.

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Civil Action No. 3:20-cv-179  
Judge Stephanie L. Haines

**MEMORANDUM ORDER**

This is a civil rights case brought under *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971) by Gheorghe Stretcu, a former federal inmate, most recently housed at CI-Reeves III in Pecos, Texas, against the Federal Bureau of Prisons, the Geo Group, and the Department of Justice. Plaintiff's complaint raises two unrelated claims against the named defendants for violations of his civil rights that allegedly occurred while he was incarcerated at two separate facilities operated by the Geo Group, which contracts with the Bureau of Prisons. This matter was referred to Magistrate Judge Keith A. Pesto for proceedings in accordance with the Federal Magistrates Act, 28 U.S. C. § 636, and Local Civil Rule 72.D.

Plaintiff's complaint [Doc. 4] was filed on October 19, 2020, upon Judge Pesto's granting of Plaintiff's motion for leave to proceed *in forma pauperis*. That same day, Judge Pesto submitted an Order and Report and Recommendation [Doc. 3] recommending that the October 2018 alleged attack on Plaintiff in the Chesapeake Detention Facility be transferred to the District of Maryland pursuant to 28 U.S.C. §1404. The Report and Recommendation also recommends that Plaintiff adequately states a claim in this District under Pennsylvania law against Geo Group for negligence in its alleged failure to provide adequate medical care while Plaintiff was in the custody of the Geo Group at Moshannon Valley Correctional Center between March 2019 and September 2020.

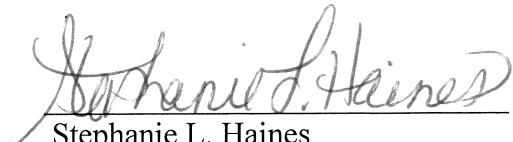
Plaintiff was notified that he had fourteen days to file written objections to the Report and Recommendation. *See* 28 U.S.C. § 636 (b)(1)(B) and (C) and Local Civil Rule 72.D.2. Plaintiff did not file written objections and the time to do so has expired.

Upon review of the record and the Report and Recommendation under the applicable “reasoned consideration” standard, *see EEOC V. City of Long Branch*, 866 F.3d 93, 100 (3d Cir. 2017) (standard of review when no timely and specific objections are filed), and pursuant to Local Civil Rule 72.D.2, the Court will accept in whole the findings and recommendations of the Magistrate Judge in this matter. Accordingly, the following order is entered:

**ORDER OF COURT**

AND NOW, this 29<sup>th</sup> day of September, 2021, for the reasons set forth in the Magistrate Judge’s Memorandum Order and Report and Recommendation [Doc. 3], which is adopted in whole as the opinion of the Court, IT IS ORDERED that the claim regarding the October 13, 2018 alleged attack on Plaintiff in the Chesapeake Detention Facility is transferred to the District of Maryland pursuant to 28 U.S.C. § 1404; and,

IT IS FURTHER ORDERED that the United States Marshal is directed to mail a copy of the Plaintiff’s Complaint [Doc. 4] and this Memorandum Order to Defendants Federal Bureau of Prisons, Geo Group / Moshannon Valley Correctional Center, and Department of Justice in order to proceed with Plaintiff’s claim for alleged failure to provide adequate medical care while Plaintiff was in this District in the custody of the Geo Group at Moshannon Valley Correctional Center between March 2019 and September 2020. The costs of service shall be advanced by the United States.

  
Stephanie L. Haines  
United States District Judge